# PLANNING AND ZONING COMMISSION Monday, July 12, 2010 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

## Roll Call

Present: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon, Mr. Vasko and Tony Note from the Landmarks Commission.

## **Approval of Minutes**

Dr. Konold made a motion to approve the minutes of the June 14, 2010 regular commission meeting. Mr. Knowlton seconded the motion.

VOTE: AYES: Mr. Christensen, Mr. Knowlton, Dr. Konold, Ms. Solomon and Mr. Vasko

NAYS:

ABSTAIN: Mr. Graber and Mr. Abbott

Motion Carried.

Public Comment - None

## **Pending Cases**

#### Item 1. Preservation Area #PA-10-03

Property owner and Applicant John Bakitis, for property located at 79 North Trine Street, requested Preservation Area approval for a side addition, vinyl siding and replacement windows. Andrew Dutton, Zoning Officer, gave the staff report. Mr. Bakitis was present and outlined his proposal to the commission.

Mr. Graber asked if there were currently wood windows in the house. Mr. Bakitis replied that the widows were original single pane wood.

Ms. Solomon inquired if the exterior wood casing would be kept on the windows. Mr. Bakitis stated the wood would not be kept and the windows would be all vinyl.

Mr. Abbott asked Mr. Bakitis if he would be replacing the roof on the existing house. Mr. Bakitis replied that he would not be replacing existing home's slate roof and the new addition would incorporate an asphalt shingle that simulates slate.

Mr. Note stated that the home was built in 1918 and he believed there were two issues regarding the application: the addition itself and the conversion of the main house from wood to vinyl. He also explained the recently amended section of the Preservation Guidelines which recommends using wood or masonry for siding and does not recommend using vinyl, stone or stucco in the Preservation Area. Mr. Bakitis said this his property is in the Preservation Area, not the Historic District. Mr. Note

responded that the previously noted section applies to the Preservation Area. Mr. Bakitis then stated that all the people around him had vinyl siding and his siding would not hold paint anymore. Mr. Note asked if he would consider using hardi-plank instead of vinyl. Mr. Bakitis resplied that it would be cost prohibited.

Mr. Knowlton asked how close the siding comes to matching the dimension of the boards on the existing house. Mr. Bakitis said the siding will be same width.

Mr. Knowlton asked Mr. Bakitis if he was locked into putting this addition on the side. Mr. Bakitis said he was. Mr. Knowlton asked why the addition could not be placed on the back of the existing home. Mr. Bakitis said it was another cost issue and the side addition fit better with what he wanted to do.

Dr. Konold asked if he has had any other contractor come out to see if there is a different type of paint that can be used. Mr. Bakitis stated that he did not want to paint the home, he wanted vinyl siding.

Ms. Solomon inquired if the replacement windows had decorative elements. Mr. Bakitis stated that he would be putting decorative headers on them.

Ms. Solomon asked if the entire porch would stay wood. Mr. Bakitis stated that the wood would stay on floor, but the ceiling and pillars are warped and would probably be covered in vinyl.

Mr. Abbott asked if the decorative trim would stay on the porch. Mr. Bakitis replied that he was not sure.

Mr. Knowlton asked the rest of the commission if anyone had an issue with the new addition being 22 inches from the property line. Mr. Dutton stated that the setback was approved through an Administrative Variance in November.

Mr. Hollins stated that since this item is appealable, the commission would likely want to go into executive session, come up with a fact of findings, and make a decision at the next meeting.

Mr. Knowlton moved to table Application #PA-10-03. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms.

Solomon, Mr. Vasko and Mr. Note

NAYS:

Motion Carried.

## Item 2. Zoning Amendment #ZA-10-03

The Zoning Amendment to amend Chapters 1131, 1135 and 1137 of the Zoning Code was initiated by the Planning and Zoning Commission. Mr. Dutton reviewed the proposed changes to the Zoning Code and added further changes from what was included in the commission's packets.

Mr. Hollins brought up some questions on page 14, B, at the top of the page. The section stated "...expires and is revoked...". Mr. Hollins stated that the section should say "expires and/or is revoked".

Mr. Strayer stated that there had been some discussion among Council to put in a provision in the Code that if a building goes vacant for a designated period of time, that the property owner is required to tear

down the building and return it to a buildable lot. Mr. Strayer continued that if there were any comments, he would forward them on to Council.

Mr. Christensen asked what kind of time frame would there be for demolition. Mr. Strayer stated that after two or three years of being vacant, then the building would need to be torn down. Mr. Christensen asked if foreclosed homes would be subject to the same requirement. Mr. Strayer responded that foreclosed homes would fall under the requirement.

The Commission continued a discussion about the time frame and type of buildings that could possibly be included in an ordinance requiring vacant buildings to be torn down.

Mr. Vasko made a motion to close the public hearing. Mr. Knowlton seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon

and Mr. Vasko

NAYS:

Motion Carried.

Mr. Vasko made a motion to approve Application #ZA-10-03, to amend Chapters 1131, 1135 and 1135 of the Zoning Code as provided with the additional revisions recommended by the Mayor and the Village Solicitor. Dr. Konold seconded the motion

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon

and Mr. Vasko

NAYS:

Motion Carried.

### **New Business**

1. Mr. Dutton reviewed a proposal for a dentist office at Meijer outlot 2. Mr. Dutton explained complications to the outlot due to restrictions of the Meijer outlot development text, which only allows a Bank use on the lot, and the presence of the Stream Corridor Protection Zone.

Tonda Moore, representing the dentist's office, spoke to the commission about the project. The commission discussed with Mrs. Moore the possibilities of development of outlot 2.

2. Mr. Dutton reviewed a proposal for a flea market at the Ricart lot located at 33 and Bowen Road. Pete Ricart was present to explain the proposed use.

Mr. Graber asked how many stands were anticipated for the flea marked. Mr. Ricart said he thought there would be about 200 stands, each located within an existing parking spot. Mr. Graber also asked if there would be any permanent structures for the flea market. Mr. Ricart replied that there would not be any permanent structures.

Mr. Vasko asked if there would be any limitations on what could be sold at the flea market. Mr. Ricart said there would be no limitations. Mr. Vasko asked if the sale of guns, firecrackers etc. would be allowed. Mr. Ricart replied that the sale of those items would not be allowed.

Mr. Abbott asked if the porta-johns would be gone each Monday or just stay on site. Mr. Ricart stated that they would leave them on site.

Mr. Vasko asked if there would be a restriction on signs. Mr. Ricart responded that that there would be a "Flealand" sign, but nothing extra.

Mr. Graber stated that he had two concerns: First, traffic in and out from US 33 with the volume of traffic from a flea market and second, the image a flea market gives Canal Winchester.

## Planning and Zoning Administrator's Report

Bill Christensen, Chairman

1. Mr. Dutton informed the commission that Discount Tire's Conditional Use application went to Council last Monday for their appeal and it was tabled until Council's next meeting.

Mr. Vasko made a motion to go into executive session to consider Application #PA-10-03. The motion was seconded by Mr. Knowlton.

VOTE:	AYES:	Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon and Mr. Vasko
	NAYS:	
		Motion Carried.
Executive	Session time	out 8:11 p.m.
Time in 8:2	22 p.m.	
<u>Adjournm</u>	<u>ent</u>	
	made a moti econded the	on to adjourn this regular meeting of the Planning and Zoning Commission. Ms. motion.
VOTE:	AYES:	Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon and Mr. Vasko
	NAYS:	Motion Carried.
Time Out:	8:22 p.m.	Date

NOTE: The minutes set forth herein are an extract of the Planning and Zoning Commission meeting. Anyone desiring a transcript of the complete minutes of the Planning and Zoning Commission meeting may obtain the same at a cost of \$10.00 per page.

Jeff Graber, Secretary